

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

SONY MUSIC ENTERTAINMENT, *et al.*,

Plaintiffs,

v.

COX COMMUNICATIONS, INC., *et al.*,

Defendants.

Case No. 1:18-cv-00950-LO-JFA

PLAINTIFFS' MOTION TO COMPEL

Pursuant to Fed. R. Civ. P. 37 and E.D. Va. Local Rule 37, Plaintiffs hereby move to compel Defendants Cox Communications, Inc. and CoxCom, LLC (collectively “Cox”) to produce:

- (1) Public trial exhibits, deposition transcripts of Cox’s fact witnesses and four experts (Barbara Frederiksen-Cross, William Lehr, Terrence McGarty, Richard Sullivan), and Cox’s sworn interrogatory answers from *BMG Rights Management v. Cox Communications, Inc. et al.*, 1:14-cv-1611; and
- (2) Copyright infringement notices, including those sent by non-parties, received by Cox from 2010 to 2014.

For the reasons set forth in the accompanying Memorandum in Support, the Court should grant the motion.

LOCAL RULE 37(E) MEET AND CONFER STATEMENT

Counsel for Plaintiffs sent a letter regarding Cox’s deficient objections on December 10, 2014. The parties’ respective counsel then held two telephonic meet-and-confers on December 12 and 14 concerning Cox’s discovery responses. The parties have resolved several issues and others

remain under consideration. Despite their efforts, the parties were unable to resolve all of their disputes.

Respectfully submitted,

Dated December 14, 2018

/s/ Scott A Zebrak

Scott A. Zebrak (38729)

Matthew J. Oppenheim (*pro hac vice*)

Jeffrey M. Gould (*pro hac vice*)

OPPENHEIM + ZEBRAK, LLP

4530 Wisconsin Avenue, NW, 5th Floor

Washington, DC 20015

Tel: 202-480-2999

scott@oandzlaw.com

matt@oandzlaw.com

jeff@oandzlaw.com

Attorneys for Plaintiffs